

Department of Public Health
and Human Services

Section:
OTHER PROGRAMS

TANF CASH ASSISTANCE

Subject:
Emergency Assistance

Supersedes: TANF 1101-1 (7-01-05)

References: ARM 37.78.102, .601 and .602

GENERAL RULE--Emergency Assistance (EA) provides financial assistance on behalf of families with children under age 21 when an unforeseen event has occurred which may cause the destitution of the child or a situation involving abuse or neglect of a child which has occurred or may occur in the immediate future.

For purposes of this policy, 'destitution' means: the child will go without a basic need such as shelter, basic utilities, food, basic clothing, etc.

NOTE: Situations involving **abuse or neglect** of a child must be identified by the Department's Children's Services Bureau workers or the Family Preservation contractor.

The purpose of the assistance is to provide immediate resolution of the emergency situation **or** prevent the child's removal from the home, expedite the return of the child to the home, or prevent the need for protective services for the child. Emergency Assistance is NOT available to pay for items or services a family has chosen not to pay with currently available means. **Receipt of EA is limited to only once in any period of twelve (12) consecutive months.**

NOTE: The EA must be reasonably expected to provide resolution of the emergency situation, not just delay the emergency. For example, EA cannot be used to pay rent if there is no future means to pay the expense.

Emergency Assistance may be provided in addition to but not as a substitute for basic needs assistance including, but not limited to, TANF cash assistance or BIA General Assistance. However, a family cannot be required to apply for any of the above programs before an eligibility determination can be made for EA. Some families may not need continuing assistance provided by the above programs; others may need ongoing help but also require immediate assistance with EA.

NOTE: The receipt of Emergency Assistance does NOT count as using any month of time-limited TANF cash assistance.

NOTE: For TANF recipients, EA is not to be used as a substitute for Supportive Services. Any need identified as necessary to meet employment or FIA/EP participation requirements, must access Supportive Services first, if at all possible.

EXAMPLE: TANF recipients Shawna and Sam applied for Emergency Assistance for help with rent and car repairs. Sam was injured in a vehicle accident eight weeks ago and has just now been released to go back to work. He has not received a check for two months so was unable to pay his \$450.00 per month rent during that time. He brought with him a 3-day written eviction notice from the landlord, which demands payment of \$900.00. He also brought in two estimates for \$650.00 and \$725.00 to repair his car so he can drive the five miles to town to work.

As a condition of approval of Emergency Assistance, Sam must talk to his WoRC case manager and request supportive services for the car repairs so he can maintain his employment. Supportive services are a prior resource and must be accessed first. Car repairs are an appropriate use of supportive services since Sam is employed, this is the family's only vehicle, and he needs to drive to work.

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As for the rent, Emergency Assistance would be approved for \$900.00 for rent for the past two months since the family's situation meets policy guidelines and the home will be sustainable due to the family's ability to pay future rent with Sam's earnings.

If the household would be an appropriate referral for a Tribal TANF program, they are not eligible for Emergency Assistance and must apply with the tribe. See TANF 103-7.

UNFORESEEN EVENT

The first determination that must be made is what **unforeseen event** created the emergency situation. An unforeseen event is one which the adult(s) could not anticipate would occur and it was not under his/her control. Examples include but are not limited to:

Unforeseen event

Layoff due to downsizing.

Family's only car breaks down.

Emergency Situation

Eviction notice due to nonpayment of rent.

Needs transportation to work or will lose job.

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Fleeing a family
violence situation

Need a place to live.

A fire destroys a family's home.

Family needs shelter.

The unforeseen event and the emergency situation do not have to immediately follow each other. For example, the layoff could have occurred a couple of months ago and the family has been living on savings. The eviction notice came when savings were exhausted.

Emergency Assistance can be requested by the family in need **or** by an employee or agent of the Department.

APPLICATION PROCESS

If the **family** is requesting assistance, Form HCS-020, "Emergency Assistance Request" must be completed and submitted to the Office of Public Assistance (OPA).

If **Child and Family Services** is requesting the assistance on behalf of a child or family, the Division's (CFSD) Financial Specialist will review the HCS-020 and enter the information into the CAPS system so an interface with TEAMS will take place.

The HCS-20 is valid for 30 days from the application date. Changes to needed items/services may be made during this 30-day window.

EXAMPLE: A family applies for EA assistance for one month's rent on May 3. The household received an eviction notice because the father was laid off from his job and had not worked long enough to qualify for unemployment benefits. The father has a confirmed job offer that starts on May 10 and the family should be able to pay June rent. On May 30, the family requests additional assistance for June rent. The father's first paycheck received on May 26 only included pay for one week. A second payment can be issued to assist with June rent because the request is within 30 days of the original application.

DATE OF APPLICATION

The date of application (request) for hard services is the date the HCS-020 is received and date stamped (not hand written) in the OPA; **or** for soft services, the date the HCS-020 submitted to the CFSD Financial Specialist is signed by the applicant.

≥ELIGIBILITY DETERMINATION TIME LINE

Due to the emergent nature of the request, the eligibility determination should be completed within five (5) calendar days after receiving the application **and** all verification required to support the application. This time line also applies to referrals received from the

CFSD Financial Specialist to input the information after receipt of the verifications supporting the application.

**ELIGIBILITY
START DATE**

If eligible, the first month of the twelve-month period is the month the application (HCS-020) is date-stamped **or** for soft services the month the signed application (HCS-020) is received by the CFSD Financial Specialist.

**ELIGIBILITY
REQUIREMENTS**

There is no residency requirement. Emergency Assistance may be provided to transient and migrant worker families if the following eligibility criteria are met. The eligibility requirements are:

1. An emergency, child abuse or neglect exists as per the General Rule.
2. The child is under age 21 and living with a specified caretaker relative (Section 305-1). Or the child is under age 18 and has lived with a specified caretaker relative within the most recent 6 months prior to the month of the request, in a place of residence maintained by the relative as the child's home.
3. All family members are U.S. citizens or qualified aliens (Section 301-1).
4. The emergency did not arise because the child or the specified relative refused, without good cause, to accept or maintain employment or training for employment (Section 1509-1).
5. All other means available to meet the emergency need, including but not limited to all accessible liquid resources and any benefits or services for which the family is eligible have been exhausted.

NOTE: Liquid resources are defined as cash or other financial holdings which are convertible to cash and include checking and savings accounts, stocks, bonds, mutual fund shares, promissory notes, deferred compensation funds, certificates of deposits, cash value of insurance policies, etc.

6. The household did not spend income or resources for items other than basic needs after the unforeseen event occurred. This is determined by adding net household income to liquid resources and subtracting expenses paid for basic needs (e.g., food, shelter, basic utilities, etc.)

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NOTE: The amount of the family's food budget that can be allowed is the Food Stamp thrifty food plan for the household size minus any food stamps issued to the household for the month.

For example, a family requests EA assistance for utilities on April 25. The household received a shut-off notice because the father's hours at work were reduced in November and he had not worked long enough to qualify for partial unemployment benefits. The family's expenses exceeded household income for several months so the utility bills had not been paid. The family has no liquid resources.

Month	Net Income	Payments for <u>basic needs</u>
December	\$1,500.00	\$1,300.00
January	1,000.00	800.00
February	1,200.00	1,000.00
March	900.00	700.00
April	1,000.00	800.00

In addition to payments for basic needs, the family made a credit card payment of \$200.00 per month.

The household is not eligible because they used readily available income that could have been used to pay the basic need of utility bills and instead chose to pay other bills.

7. A pregnant woman who has no children living with her is not eligible unless
 - a. she is in the last trimester of her pregnancy; **and**
 - b. the circumstances comply with the General Rule; **and**
 - c. a CFSD protective services worker determines she is in need of emergency services.

EXCLUDED ITEMS/SERVICES

Emergency Assistance, whether "hard" or "soft" services **cannot** be used to pay for the following:

- Taxes, including but not limited to, personal and real property taxes
- Insurance premiums - auto, life, home
- Burials
- Reimbursements for expenses already paid or money loaned to the household to pay expenses
- Deposits (Rental/utility/cleaning/security)
- Legal fees/fines/penalties
- Purchase of a vehicle
- Late fees (rental/mortgage)

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- Mortgage payments
- Bills for services already received, including medical bills, and bills more than 30 days past due, except the two most recent months of past due rent or utility bills as stated earlier in this section. The circumstances causing the eviction/shut off must comply with the General Rule.
- Travel expenses that would be payable by any other source, including but not limited to, Medicaid Travel, Supportive Services (Section 704-1), or BIA General Assistance.
- Emergency Assistance cannot be used to provide ongoing (daily, weekly, monthly) cash payments for basic maintenance items essential for day-to-day living such as food, shelter, clothing, personal care items.

“HARD” SERVICES

Items/services authorized by the OPA must be directly related to overcoming the emergency caused by the “unforeseen” event.

NOTE: If the total of the hard services requested is over \$1,000, Central Office must approve the Emergency Assistance request.

Hard services that may be provided are:

1. Basic needs such as food, clothing, shelter (rent or temporary lodging), utilities, or personal care items.

The two (2) most recent months of rent and/or utility services may be paid if eviction and/or final utility shut-off is imminent and the circumstances causing the eviction/utility shut off comply with the General Rule. Or if the household is homeless due to an unforeseen circumstance, temporary lodging can be provided for up to 30 days, as long as the household is working toward obtaining their own shelter and availing themselves of all other community resources to accomplish this. Contact Susan Rutherford at Central Office if there is a specific case that needs to be discussed.

For purposes of this policy, ‘imminent’ means ‘likely to happen without delay as a result of unanticipated circumstances.’

If rent and/or utilities are paid, the payment must result in the cancellation of the eviction notice and/or the shut-off notice. This outcome should be verified before the payment is authorized.

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2. Temporary transportation such as a bus pass or taxi service or

costs of necessary repairs of the vehicle owned by the applicant and is essential to retain employment. The household must obtain two (2) estimates for the cost of repairs prior to any repairs being completed. If two vendors are not available in the proximity of their location, an estimate from one will be accepted. (If the household receives TANF, supportive services are considered a prior resource).

3. Replacement or repair of necessary home appliances such as a refrigerator or heating/cooling equipment, owned by the applicant.
4. Replacement or repair of necessary household furnishings such as a bed and bedding.
5. Other items and/or services necessary to overcome the emergency situation.

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NOTE: Medical services or related expenses are not covered by Emergency Assistance hard services.

DETERMINING THE AMOUNT OF HARD SERVICE ASSISTANCE

Emergency assistance will not necessarily cover the full amount of hard services requested. The amount of assistance provided is determined by adding the amount of current net income and liquid resources then subtracting money spent on basic living expenses (e.g., food, shelter, basic utilities, etc.). Assistance can only be provided for the amount of need in excess of available income.

NOTE: The amount of the family's food budget that can be allowed is the Food Stamp thrifty food plan for the household size minus any food stamps issued to the household for the month.

For example, car repair assistance requested so that mom can maintain her job. Estimated cost of repairs is \$550.00. Household's net income for the month is \$800.00 and liquid resources are \$75.00. Basic expenses for the household total \$650.00.

$\$800.00 + \$75.00 = \$875.00 - \$650.00 = \$225.00$

$\$550.00 - \$225.00 = \$325.00$ is the amount of assistance that could be approved.

HARD SERVICES

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PROCEDURE

Responsibility:**ACTION****Applicant:**

1. Submit completed Form HCS-020 to the OPA.
2. Provide eligibility verification as requested.

≥Eligibility Case Manager

3. Within five (5) calendar days from the **date of the receipt of all documentation necessary to support the application for EA**, complete the eligibility determination process. Access the CLPR screen for each household member to determine the family's prior use of EA.

- a. If any family member has received EA within the prior 12 months, **the family is not eligible** and the application must be denied by using the following process:

Register the application on TEAMS (APMA or APRE). Complete screens ADDR, INDA, SEPA, SSDO, EPME, and RECI. NEXT to the EMERGENCY ASSISTANCE APPLICATION screen (EMAA).

On EMAA, select 'N' in the "Eligible for EM (Y/N) field", enter 'OBE' in the "Denial Reason" field. In the 'AUTHORIZE' field, a 'Y' must be entered to finalize the denial.

Send adequate notice. Document action taken in TEAMS case note (CANO).

- b. If EA has not been received by any family member within the prior 12 months:

Evaluate the application. Approve or deny the request based on the information and verifications presented. If ineligible, complete denial process outlined above.

If eligible, on the EMERGENCY ASSISTANCE APPLICATION (**EMAA**) SCREEN, enter the appropriate code in the EXP TYP field and the dollar amount that is approved. Press Enter.

SH Shelter:**UT Utilities****TR Transportation:****FO Food:**

OT Other: This code is used for payment of other items and/or services necessary to overcome the emergency situation such as clothing, personal care items,

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replacement or repair of necessary home appliances or household furnishings.

ON EMAY enter the following mandatory fields:

Exception: Authorization of Soft Services (Expense Type - SO) will be completed on EMAY. However, because a vendor payment is not being processed, the vendor data fields on EMAY are not required.

- a. VENDOR NAME
- b. ADDRESS
- c. CITY ST ZIP
- d. PHONE NUMBER
- e. INVOICE OR DATE OF SERVICE

f. **Complete only one of the two fields listed below:**

FEDERAL EMPLOYMENT IDENTIFICATION NUMBER (FEIN). If a Federal Tax ID number has been assigned to the employer/vendor, this number **must** be used and this field entered. If the employer/vendor does not have a Federal Tax ID number, leave this field blank.

or

SOCIAL SECURITY NUMBER (SSN) Complete this field if a Federal Tax ID has not been assigned. If you complete this field with a SSN, enter the name of the person to whom the SSN belongs.

Do not enter a SSN in the Federal Tax ID field. Do not enter a Federal Tax ID number in the SSN field.

Authorization: Authorization of emergency assistance must be completed separately for each expense type listed on EMAY. This ensures required vendor data specific to each expense type is complete prior to submission of the vendor payment referral to Fiscal Services Division (FSD).

SUPERVISORY AUTHORIZATION

Only the appropriate OPA Supervisor may authorize Emergency Assistance payments. The appropriate supervisor is the supervisor of the worker associated with the case or a supervisor within the same jurisdiction.

Example: If a T01301 worker (Beaverhead) is associated to a case and is supervised by a Silver Bow County supervisor (T47),

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any supervisor under the direction of Mark Beattie (T47101-Silver Bow County combination) will be allowed to authorize the payment.

Document action taken in TEAMS Case Notes (CANO).

NOTE: The case note must contain the following information:

- a. a detailed description of the unforeseen event that was beyond the applicant's control;
- b. the income available to the household in application month, expenses for basic needs paid in the application month, and the remaining income that can be applied to address the emergency (computations from the budget sheet);
- c. community resources, relatives, churches, etc. contacted by the applicant to help with the emergency and the results of the contacts;
- d. type of assistance approved, amounts, and for what months;
- e. how the applicant will continue to meet this need in the following months.

SOFT" SERVICES

"Soft" services are those services approved by CFSD workers or Family Preservation contractors directly related to overcoming the abuse and/or neglect, prevent the child's removal from the home, expedite the return of the child to the home, or prevent the need for protective services for the child. **Soft services do not require an unforeseen event.**

NOTE: An application for CFSD Soft Services should be registered on TEAMS with the child as the PI. Include all individuals in the case as indicated by CFSD on the CEAR screen. The address listed on RELI determines which county will process the application for soft services.

Emergency Assistance will **not** be opened under a Foster Care case number (County 72) since that program is administered in Helena and the county offices have no case file or documentation. Even if the child is currently open in Foster Care, we will **register the case with a new case number** with the child as the PI.

NOTE: An application referral made by CFSD will always be

approved and authorized unless a household member has received Emergency Assistance within the previous 12 months.

SOFT SERVICES PROCEDURE

CFSD Financial Specialist

1. Check TEAMS for prior use of EA and verify relationship, marital status, SSN, and citizenship/alien status. Enter this information on CAPS. This information will interface with TEAMS and appear on, the RECI screen the following morning.
2. Send notice to the family informing them they have used EA and will not be able to access EA for twelve consecutive months beginning with the date of application. **(It is not necessary for the Eligibility Case Manager to send any notices regarding Soft Services.)**

Eligibility Case Manager

A designee in each office checks the RELI screen each morning for new referrals. (Next to RELI from SYSE).

EA referral information received through the CAPS interface will be displayed on the **Referral List (RELI)** screen for the appropriate service county, according to the County Number. The appropriate referral information for each household will be listed on the screen.

Example: CAPS EMERGENCY ASSISTANCE REFERRAL
CAPS Case Name: Cassie Anne Maxwell.

On RELI this will be the name of the child. **With very few exceptions, the child will be registered on TEAMS as the PI for the Emergency Assistance application.**

1. On **RELI**, select the referral by entering a character in the SEL field and press enter. The **CEAR** screen will appear.

Note: The application date is listed on the CEAR screen in the upper left-hand corner. It is not the date the referral appears on RELI.

2. Use the data displayed on CEAR to determine whether the EA application received from CAPS will be set up and authorized using an existing TEAMS case or authorized in a newly established TEAMS case.

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3. **On EMAA**, enter 'SO' as the EXP TYPE, the EM ID # from the CEAR screen and authorize. TEAMS will not accept the entry unless the six character field is filled. (i.e. EM followed by the four (4) digit number).

NOTE: The Eligibility Case Manager is not required to review the request or use of EA by the CFSD worker; only to enter the family information, approve and authorize on EMAA to assure TEAMS will track the 12-month period.

When an application which includes a payment type of SO is authorized on EMAY, the EM ID# will be required prior to authorization. Once the case has been reported to fiscal in the nightly batch, all data associated with the EM ID# will automatically be removed from CEAR.

Emergency Assistance payment processing will be completed electronically and Fiscal Services Division (FSD) will issue the payment.

TEAMS will create a system-generated case note for each authorized emergency assistance payment. Data for the case note will be retrieved from information entered on the EMAA and EMAY screens. The system-generated case note cannot be edited but may be amended.

**EXPEDITED
ADMINISTRATIVE
REVIEW
PROCEDURE**

Document action taken in TEAMS Case Notes (CANO).
An expedited administrative review for a denial can be provided only when specifically requested in writing by the applicant within five (5) working days from the date of denial.

ACTION

Applicant:

1. Complete the bottom portion of the back of the denial notice and submit the entire form to the County Office within five (5) working days from the date of denial. Include a written statement requesting an expedited administrative review.

County Designee

2. Upon receipt of a written request, conduct an administrative review within five (5) working days from the date the request is received in the county office.

If an expedited administrative review is not requested as directed, process by standard fair hearing policy (Sections 1506).

3. If the issues are resolved, document the case file in TEAMS Case Notes (CANO). Do not forward any documents to the Fair Hearings Office.

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4. If the issues are not resolved, immediately submit the written request and Fair Hearing notice to the Fair Hearings Office indicating the issues concern Emergency Assistance and that no resolution was reached.

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